

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

2024 SEP -5 PM 1:26

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MILES E. HOISINGTON, JR.,)
)
Plaintiff,)
)
v.) Case No. 2:24-cv-951
)
R.L. VALLEE, INC.,)
)
Defendant.)

ENTRY ORDER

A review of the docket in this case reveals the following:

1. On July 17, 2024, Plaintiff Miles E. Hoisington, Jr., a New York resident “on sabbatical in Vermont” representing himself, filed a Complaint in the United States District Court for the Southern District of New York (“SDNY”) against Defendant R.L. Vallee, Inc. (Doc. 1 at 3.)
2. On August 20, 2024, SDNY transferred the action to this court because venue lies here, and this court is a more convenient forum. That court further noted “[w]hether Plaintiff should be permitted to proceed further without prepayment of fees is a determination to be made by the transferee court.” (Doc. 2 at 4-5.)
3. On August 28, 2024, the case was received in this court.¹

Federal law generally requires a fee for parties seeking to institute “any civil action, suit or proceeding” in federal district court. 28 U.S.C. § 1914(a). The current fee is \$405.00 comprised of a \$350.00 filing fee plus a \$55.00 administrative fee.

Alternatively, a plaintiff may request authorization to proceed *in forma pauperis* (“IFP”), that is without prepayment of fees. *See id.* § 1915. Where a plaintiff seeks to proceed IFP,

¹ This is not Mr. Hoisington’s first attempt to file a case in SDNY that was later transferred to this court. On July 9, 2024, the court issued an Entry Order in his first case explaining that he must either pay the filing fee or seek to proceed without prepaying the fee. *See Hoisington v. WCAX-TV*, No. 2:24-cv-749, slip op. (D. Vt. July 9, 2024). In that case, Mr. Hoisington claimed to be a New Hampshire resident “on sabbatical in Vermont[.]” *Id.* at 1.

the court must determine whether he or she has demonstrated sufficient economic need to proceed without prepaying, in full, the required \$405.00 filing fee.

Here, Plaintiff submitted the Complaint without the filing fee or an IFP application. Plaintiff must either pay the full filing fee or submit an IFP application demonstrating he is unable to pay the fee to continue with this action. Plaintiff shall either pay the court's \$405.00 filing fee or submit a completed IFP Application² no later than September 27, 2024. Should Plaintiff fail to comply with this Order, the case shall be dismissed without prejudice.

The court certifies that any appeal would not be taken in good faith under 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 5th day of September, 2024.



Christina Reiss, Chief Judge
United States District Court

² The clerk's office is respectfully requested to send Plaintiff the court's form IFP Application.